IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 16462 of 2007(I)

PETITIONER:

R.VISWANATHAN, AGED 55,
CONTRACTOR, SHYAM NIVAS, MARUTHAN KUZHI,
KANJIRAMPARA, TRIVANDRUM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR

RESPONDENT:

THE SECRETARY,
JILLA PANCHAYTH,TRIVANDRUM.

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.PIRAPPANCODE V.S.SUDHIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.16462/2007 I

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LETTER D4 – 473/00 DTD. 12/04/02.

EXT.P2: COPY OF THE RUNNING ACCOUNT BILL.

1ST RESPONDENT'S EXHIBIT:

EXT.R1(A): COPY OF THE RELEVANT EXTRACT OF THE AUDIT REPORT.

/TRUE COPY/

P.A.TO JUDGE

KSS

PIUS C. KURIAKOSE,J.

- -

W.P.(C) No.16462 of 2007

- -

Dated: 29th October, 2007

JUDGMENT

The grievance of the petitioner who was a Contractor to the respondent-District Panchayat is that his final bill for Rs.9,53,681/- for certain works which he had executed on behalf of the District Panchayat have not been paid.

2. The District Panchayat has filed a counter affidavit in which it is stated that there will not be serious objection to release a sum of Rs.5,35,935/-. But as regards the balance amount, there is audit objection and the petitioner will have to take steps to cure the audit objection. Under these circumstances, I dispose of the Writ Petition itself issuing the following directions:

The respondent shall release a sum of Rs.5,53,935/- towards Ext.P2 final bill at the earliest and at any rate within six weeks of receiving copy of this judgment. As regards the balance amount, the petitioner is permitted to have the audit objection removed by taking recourse to appropriate other proceedings.

srd **PIUS C.KURIAKOSE, JUDGE**